No. 25-2120

IN THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

NATIONAL TPS ALLIANCE, et al., Appellees,

v.

KRISTI NOEM, et al., Appellants.

On Appeal from the United States District Court for the Northern District of California District Court Case No. 3:25-cv-1766

EXCERPTS OF RECORD

INDEX VOLUME

YAAKOV M. ROTH Acting Assistant Attorney General Civil Division

DREW C. ENSIGN
Deputy Assistant Attorney General
Office of Immigration Litigation

SARAH L. VUONG Assistant Director Office of Immigration Litigation

WILLIAM H. WEILAND Senior Litigation Counsel Office of Immigration Litigation ANNA DICHTER
ERIC SNYDERMAN
LAUREN BRYANT
CARLTON F. SHEFFIELD
CATHERINE ROSS
LUZ MARIA RESTREPO
AMANDA SAYLOR
JEFFREY M. HARTMAN
Trial Attorneys
Office of Immigration Litigation
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Telephone: (202) 532-4404
Jeffrey.M.Hartman@usdoj.gov

Case: 25-2120, 04/30/2025, DktEntry: 23.1, Page 2 of 6

Volume 1

Document	USDC Dkt. No.	ER Page Nos.
Order Granting Plaintiffs' Motion to Postpone	93	2-79

Volume 2

Document	USDC Dkt.	ER Page
	No.	Nos.
Transcript of Postponement Hearing (Mar. 24, 2025)	91	81-203

Volume 3

Document	USDC Dkt.	ER Page
	No.	Nos.
Plaintiffs' Reply in Support of their Motion to	67	205-229
Postpone The Effective Date of Agency Action		
Defendants' Response in Opposition to Plaintiffs'	60	230-265
Motion to Postpone the Effective Date of Agency		
Action		
Plaintiffs' Notice of Motion and Motion to Postpone	16	266-301
Effective Date Of Agency Action		

Document	USDC Dkt.	ER Page
	No.	Nos.
Declaration of A.V. (Feb. 20, 2025)	17	303-312
Declaration of Freddy Jose (Feb. 18, 2025)	18	313-326
Declaration of Adelys Ferro (Feb. 19, 2025)	19	327-334
Declaration of E.R. (Feb. 19, 2025)	20	335-348
Declaration of David Card (Feb. 20, 2025)	21	349-374
Declaration of Elliot Young (Feb. 20, 2025)	22	375-415
Declaration of Melanie Morten (Feb. 20, 2025)	23	416-429
Declaration of Santiago Perez (Feb. 20, 2025)	24	430-440
Declaration of Stacy Tolchin (Feb. 20, 2025)	25	441-449
Declaration of Steven Dudley (Feb. 20, 2025)	26	450-460
Declaration of Tara Watson (Feb. 20, 2025)	27	461-496

Declaration of Mariela Gonzalez Herrera	28	497-503
(Feb. 19, 2025)		
Declaration of Cecilia Gonzalez Herrera	29	504-10
(Feb. 19, 2025)		
Declaration of Katherine Greenslade (Feb. 19, 2025)	30	511-15
Declaration of Mariela Gonzalez Herrera	31	516-522
(Feb. 17, 2025)		
Declaration of Laura Guerrero (Feb. 19, 2025)	32	523-539
Declaration of M.H. (Feb. 19, 2025)	33	540-551
Declaration of Jose A. Palma Jimenez (Feb. 19, 2025)	34	552-562
Declaration of Alba Cecilia Purcia Hernandez	35	563-572
(Feb. 19, 2025)		
Declaration of Hendrina Vivas Castillo	36	573-584
(Feb. 19, 2025)		

Document	USDC Dkt.	ER Page
	No.	Nos.
Declaration of Emilou Maclean in Support of	37	586-601
Plaintiffs' Motion to Postpone Effective Date of		
Agency Action (Feb. 20, 2025)		
Social Media Attachment to Declaration of Emilou	37-1	602-639
MacLean in Support of Plaintiffs' Motion to Postpone		
Effective Date of Agency Action (Feb. 2024)		
Social Media Attachment to Declaration of Emilou	37-2	640-673
MacLean in Support of Plaintiffs' Motion to Postpone		
Effective Date of Agency Action (Feb. 2024)		
Social Media Attachment to Declaration of Emilou	37-3	674-703
MacLean in Support of Plaintiffs' Motion to Postpone		
Effective Date of Agency Action (Mar. 2024)		
Social Media Attachment to Declaration of Emilou	37-4	704-728
MacLean in Support of Plaintiffs' Motion to Postpone		
Effective Date of Agency Action (Mar. 2024)		
Social Media Attachment to Declaration of Emilou	37-5	729-751
MacLean in Support of Plaintiffs' Motion to Postpone		
Effective Date of Agency Action (Dec. 2024)		

Social Media Attachment to Declaration of Emilou	37-6	732-767
MacLean in Support of Plaintiffs' Motion to Postpone		
Effective Date of Agency Action (Jan. 2024)		
C-SPAN Campaign Speech of Donald Trump	37-7	769-772
(Dec. 16, 2023)		
Transcript of September 10, 2024, Presidential Debate	37-8	773-831
Transcript of October 11, 2024, Campaign Speech by	37-9	832-872
President Donald Trump		

Document	USDC Dkt.	ER Page
	No.	Nos.
Transcript of October 27, 2024, Speech by President	37-10	874-912
Donald Trump		
Transcript of Kristen Weker's Interview with Donald	37-11	913-949
Trump (Dec. 8, 2024)		
Transcript of January 15, 2025, Confirmation Hearing	37-12	950-1041
for Governor Kristi Noem		
Fox & Friends Interview with Donald Trump (Jan. 22,	37-13	1042-
2025)		1059
Fox & Friends Interview with Homeland Security	37-14	1060-
Secretary Kristi Noem (Jan. 29, 2025)		1069
Transcript of February 2, 2025, Meet the Press	37-15	1070-
Interview Transcript with Homeland Security		1103
Secretary Kristi Noem		
Trump Derides Protections For Immigrants from	37-16	1104-
'Shithole' Countries, Washington Post (Jan. 12, 2018)		1114
'The Snake': Donald Trump Brings Back His Favorite	37-17	1115-
Anit-Immigrant Fable at CPAC, VOX (Feb. 23, 2018)		1120
Trump Calls Some Unauthorized Immigrants	37-18	1121-
'Animals' in Rant, New York Times (May 16, 2018)		1129
In Context: Donald Trump's Comments About	37-19	1130-
Immigrants, 'Animals,' Politifact		1139
The Radicalization of Crimes Involving Moral	37-20	1140-
Turpitude, Elijah T. Staggers		1162

Document	USDC Dkt.	ER Page
	No.	Nos.
Deconstructing Racial Code Words, Law & Society	37-21	1164-
Review (2024)		1199
Explainer: Asylum Backlogs, National Immigration	37-22	1200-
Forum (Jan. 2024)		1208
Is Venezuela's Tren de Aragua 'Invading' The US?,	37-23	1209-
InSight Crime (Apr. 1, 2024)		1214
Trump, At Fund-Raiser, Says He Wants Immigrants	37-24	1215-
From 'Nice' Countries, New York Times (Apr. 7,		1223
2024)		
'Dumping Ground': Trump Echos Conservative	37-25	1224-
'Project 2025' At First Rally as a Felon (June 10,		1229
2024)		
Crime Drop in Venezuela Does Not Prove Trump's	37-26	1230-
Claim the Country is Sending Criminals to U.S.,		1237
FactCheck.org (June 14, 2024)		
Venezuela: The Rise and Fall of a Petrostate, Council	37-27	1238-
on Foreign Relations (July 31, 2024)		1251
Trump Promises Mass Deportations of Undocumented	37-28	1252-
People. How would that work?, Missouri Independent		1259
(Aug. 23, 2024)		
How the False Story of a Gang 'Takeover' in	37-29	1260-
Colorado Reached Trump, New York Times (Sept. 15,		1273
2024)		
What We Know About Tren de Aragua's US Presence,	37-30	1274-
Insight Crime (Oct. 4, 2024)		1278
JD Vance Defends Baseless Rumor About Haitian	37-31	1279-
Immigrants Eating Pets, CNN (Sept. 15, 2025)		1289
Trump Keeps Calling Venezuelan and Congolese	37-32	1290-
Migrants Criminals, Axios (Oct. 2, 2024)		1297
DHS is Seeking More than 600 Migrants for Possible	37-33	1298-
Ties to Venezuelan Gang (Oct. 23, 2024)		1313
How Much of a Threat is Tren de Aragua in the U.S.?,	37-34	1314-
Americas Quarterly (Dec. 9, 2024)		1321

Case: 25-2120, 04/30/2025, DktEntry: 23.1, Page 6 of 6

Relatives and Records Cast Doubt of Guantanamo	37-35	1322-
Migrants Being 'Worst of the Worst,' New York		1337
Times (Feb. 16, 2025)		

Document	USDC Dkt.	ER Page
	No.	Nos.
Plaintiffs' Amended Complaint (filed Mar. 20, 2025)	74	1339-
		1411
Plaintiffs' Complaint in an Administrative Procedure	1	1412-
Act Case (filed Feb. 19, 2025)		1461
Notice of Appeal (filed Apr. 1, 2025)	94	1462-
		1463
Civil Docket Sheet, National TPS Alliance, et al., v.	N/A	1464-
Kristi Noem, et al., 3:25-cv-1766-EMC		1488